

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALEXANDER TARNAVSKY,

Plaintiff,

Case No. 09-11161

v.

Honorable John Corbett O'Meara

CHRYSLER, L.L.C.,

Defendant.

**ORDER DENYING PLAINTIFF'S APRIL 24, 2009
MOTION TO SET ASIDE ORDER OF PARTIAL DISMISSAL**

This matter came before the court on plaintiff Alexander Tarnavsky's April 24, 2009 motion to set aside the court's April 24, 2009 order of partial dismissal. No response was filed and no oral argument was heard.

When the parties to an action are not diverse, the court may, in its discretion, decline to exercise pendent jurisdiction over the state claims. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c). Accordingly, it is hereby **ORDERED** that Plaintiff's April 24, 2009 motion to set aside the order of partial dismissal is **DENIED**.

s/John Corbett O'Meara
United States District Judge

Date: May 22, 2009

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, May 22, 2009, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager